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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,434	11/27/2001	Tanay Karnik	884,577US1	9789
21186	7590	01/06/2004	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			NASRI, JAVAID H	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/995,434	KARNIK ET AL.	
	Examiner	Art Unit	
	Javaid Nasri	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-24 is/are pending in the application.
- 4a) Of the above claim(s) 9, 10, 12, 13 and 16-18 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3-7 and 24 is/are allowed.
- 6) ☒ Claim(s) 8, 11, 14, 15, 19, 20, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 8, 11, 14, 15, 19, 20, 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sass et al.

Sass et al discloses (see figure 1), a first plurality of spaced apart optical signal media (terminations) (18) and a first plurality of electrical signal conductors (terminations) (14), wherein at least one of the first plurality of electrical signal conductors (terminations) is disposed between a selected first one and a selected second one of the first plurality of spaced apart optical signal media (terminations), an electrically conductive shield (22) surrounding the first plurality of spaced apart optical signal media and the first plurality of electrical signal conductors and spaced apart from the first plurality of electrical signal conductors, each one of the first plurality of optical (electrical) signal media has a longitudinal axis and a cross-sectional area, the longitudinal axis of each one of the first plurality of optical (electrical) signal media lies substantially parallel to the longitudinal axis of every other one of the first plurality of optical (electrical) signal media and the cross-sectional area of each one of the first plurality of optical (electrical) signal media lies within a first (second) substantially circular area, a diameter of the second circular area is less than a diameter of the first circular area (see marked figure 1,

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attached), a second plurality of spaced apart optical (electrical) signal terminations, (see marked figure 3, attached), a signaling medium, a first plurality of electrical signal conductors, one of the first plurality of electrical signal terminations is disposed between a selected first one and a selected second one of the first plurality of spaced apart optical signal, between in the direction of arrows A1 and A2 (see marked figure 3, attached), one of the second plurality of electrical signal terminations is disposed between a selected first one and a selected second one of the second plurality of spaced apart optical signal, between in the direction of arrows A3 and A4 (see marked figure 3, attached).

Note: a) For claims 11 and 15, it is inherent to have a connector. See response to arguments below.

b) For claim 19, it is inherent to have a circuit boards. See response to arguments below.

Allowable Subject Matter

3. Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 1, 3-7 and 24 are allowed.

REASONS FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:

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The primary reason for allowance of the claims is the inclusion of the limitation,

- a) having a second electrically conductive shield surrounding the second plurality of spaced apart optical signal media and the second plurality of electrical signal conductors, in combination with other limitations in the claim which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

6. Applicant's arguments filed on 11/13/2003 have been fully considered but they are not persuasive.

- a) Although applicant's claims are labeled as a "connector" and a "circuit board" there are no structural details in the body of the claims (i.e. after the word "comprising") that would give one skilled in the art any guidance as to how applicant's claimed connector would differ from any known optical or electrical connector. Consequently the words "connector" and "circuit board" cannot be given any patentable weight in evaluating the claims. It is reasonable to one skilled in the art that if a cable is disclosed it does not exist in isolation, but rather inherently includes known termination structures such as connectors, light sources and light detectors.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Contact

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 703 308 5876. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 703 308 2710. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956.

Any correspondence to this action may be mailed to:

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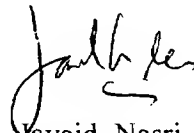
**Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450**

For additional information regarding this new address, which was effective May 1, 2003, see
Correspondence with the United States Patent and Trademark Office, 68 Fed. Reg. 14332
(March 25, 2003).

Or faxed to: 703-308-7722 or 308-7724 (informal or draft communications should be clearly labeled
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to:

**Crystal Plaza 4, Fourth Floor (receptionist)
2201 South Clark Place, Arlington, Virginia**



Javaid Nasri
Primary Examiner
Art Unit 2839

JN

jhn

December 29, 2003